

## THE KENTUCKY BROWNFIELD PROGRAM

# KENTUCKY BROWNFIELD UPDATE

VOLUME 1, ISSUE 2

NOVEMBER 2006

## THE MOST WONDERFUL TIME OF THE YEAR



A chill is in the air and the leaves are falling. That can only mean one thing in the world of brownfields – grant writing time. The U.S. EPA brownfield grant guidance was announced at the beginning of October, and communities across the nation are toiling away, putting together a grant they hope will bring brownfield dollars to their town.

If your community is applying for a grant this year or is considering applying for one in the future, here are a few tips to help make an application strong:

- Collaboration is key. Projects that include multiple stakeholders show that there is strong community support for a project.
- Get public input on the project. Grants that include strong public input are rated more highly than those with a minimal public component.
- So, you don't know what a good grant looks like. Contact successful grant recipients in order to obtain copies of grants that have won approval so you can get a sense of what works.
- Make a list and check it twice. There are check lists out there to ensure that all of the needed documents are included in your application. Consult a pre-made list or make your own. Either way, it may help avoid a potential grant faux pas.
- Communicate a strong, clear vision of the project.
- Don't seem too desperate. Stress that the grant is important in the attainment of your goal, but stress that other sources of funding are also being sought.
- Be detailed and steer away from generalities.
- Address each ranking criteria and elements contained within. Make sure to do this in the order they are presented and number and letter them accordingly.
- Describe your budget thoroughly.
- Include community and regional statistics that support your argument and drive home the point that there is a need for your project.
- Be unique. Communicate what makes your project different from the rest.
- Pay attention to grant deadlines. Take note of when the application needs to be postmarked. For instance, the deadline for EPA brownfield grants is **Dec. 8, 2006**.
- As always, you can contact the Kentucky Brownfield Program for assistance and the required letter of support.

You can access the 2006-2007 grant guidelines at <http://www.epa.gov/brownfields/applicat.htm#pg>. Check out Web resources and publications concerning brownfield redevelopment and grant writing on Page 2. ♻

## The Kentucky Brownfield Program

*Recycling the Commonwealth*



14 Reilly Rd.  
Frankfort KY 40601  
(800) 926-8111  
(502) 564-0323  
[www.dca.ky.gov/brownfields](http://www.dca.ky.gov/brownfields)

## UPCOMING EVENTS

Brownfields 2006– The official EPA and ICMA co-sponsored national conference on Brownfields Nov. 13-15, 2006, Boston, Mass.

Brownfield Grant Review Session, Nov. 20, 2006, Frankfort, Ky.

Governor's Conference on the Environment, Nov. 29-30, 2006, Lexington, Ky.

Deadline for EPA Brownfield Grants, Dec. 8, 2006

Feb. 7, 2007– NBA Technical Assistance Training  
Location TBA

*For more information on any of these events please call the Kentucky Brownfield Program at 1-800-926-8111 or check out our Web site at:*  
[www.dca.ky.gov/brownfields](http://www.dca.ky.gov/brownfields)



These Web resources and publications can aid grant writers and those tackling brownfield projects in developing successful redevelopment plans, finding financial resources and producing quality grant applications.

### Useful Web Resources

- EPA Region 3 has compiled model responses to different brownfield grant criteria. This compilation of responses can help writers formulate complete and relevant responses to grant criteria.

<http://www.epa.gov/reg3hwmd/bfs/grants/2004excerpts.htm>

- TAB EZ AP– Developed by Purdue University, this guide will prompt the user through the basic requirements of the application. TAB EZ AP provides the framework for the proposal and prompts the user to fill in the appropriate information. It eventually results in a completed application. It also provides helpful hints, useful Web resources, and links to regulatory references. \*\*Please note that this tool is currently set up for the 2005-2006 grant year, and you will need to review the new 2006-2007 guidance to familiarize yourself with any differences.

<https://engineering.purdue.edu/MHSRC/TABEZAP/v2>

- SMARTe (Sustainable Management Approaches and Revitalization Tools - electronic) contains guidance and analysis tools for all aspects of the revitalization process including planning, environmental, economic and social concerns.

[www.smarte.org](http://www.smarte.org)

### From the Bookshelf

*The Only Grant Writing Book You'll Ever Need: Grant Writers and Givers Share Their Secrets* by Ellen Karsh and Arlen Sue Fox

This book includes:

- Guidance on developing a realistic, cost-effective, collaborative program
- Concrete suggestions (with practice exercises and examples) for approaching each section of a grant so that the proposal is absolutely clear to the funder
- A glossary of terms with any word, phrase, or concept a grant writer may need, plus 50 tips for writing a winning proposal
- Funder roundtables that put you inside the minds of the people who award grants

*Annual Register for Grant Support*- This is a guide to over 3,000 programs offering billions of dollars in support. Check it out at your local library. A personal copy can be costly.

*The Foundation Center's Guide to Winning Proposals*- This guide features 20 grant proposals that were funded by some of the nation's leading grantmakers. Each proposal is reprinted in full and includes a critique from the decision maker.

The banner for the Brownfields2006 event features a city skyline on the left and a close-up of two hands shaking on the right. The text is overlaid on a dark red background at the bottom.

**Brownfields2006**

November 13-15 | Boston Convention & Exhibition Center

**A Revolution in Redevelopment & Revitalization**

Visit  
[www.brownfields2006.org](http://www.brownfields2006.org)  
for more information  
on this event



## NATIONAL BROWNFIELD ASSOCIATION KENTUCKY CHAPTER UPDATE



*Speaking to the insurance panel, Herb Petitjean, state brownfield coordinator, asked participants to explain how Kentucky could participate in group insurance policies that cover brownfield redevelopment.*



*Pointing out some structural problems, Maysville Mayor and Kentucky NBA Chapter President David Cartmell explains some of the problems that the old Hayswood Hospital site has caused the city of Maysville.*

The Kentucky Chapter of the National Brownfield Association held its second chapter event in Maysville on Sept. 29th. Sen. Charlie Borders opened the event with his remarks on the state of brownfield redevelopment in Kentucky. Sen. Borders stressed that the redevelopment of contaminated properties is important and he pledged to support brownfield redevelopment. He was followed by Rep. Mitchell B. Denham. Rep. Denham stated that, "In Kentucky, we are making progress. We have a long way to go, but we have had some successes." Rep. Denham detailed some of the successes and stressed that he would continue to support brownfield legislation.

On the slate for discussion was environmental insurance and brownfield redevelopment in Kentucky. Environmental insurance helps cover some of the unknowns in the redevelopment process. Kevin Matthews Director of Governmental Relations at AIG Environmental stated, "Environmental insurance is just like any other kind of insurance product. It takes care of unforeseen events." Brownfield policies, which generally cover a 10-15 year time frame, can cover unexpected cleanup costs as well as the cost of remediating unknown pre-existing contamination.

The problem with brownfield insurance policies is cost. The minimum premium for many policies can run \$300,000. It is not a cost effective avenue for properties costing less than \$1 million to remediate. This is an issue for Kentucky because very few sites are large scale cleanups. Many of the sites are small in size, but the issue of unexpected costs is still very real and can bring redevelopment to a halt.

Several innovative financing options were discussed. The state of Wisconsin insures itself. If a developer cleans up a site, Wisconsin grants the developer liability protection. There is a fee charged for removing liability, but it is not as much as purchasing a brownfield insurance policy. State Brownfield Coordinator Herb Petitjean expressed that the state will continue to search for viable ways to provide liability protections as it can be a useful tool in encouraging the redevelopment of these properties. ♻️

## 30TH ANNUAL GOVERNOR'S CONFERENCE ON THE ENVIRONMENT

Nov. 29-30, 2006

Lexington, Kentucky

The Kentucky Environmental and Public Protection Cabinet invites you to join us in Lexington for the 30th annual Governor's Conference on the Environment. This year's conference will be held at the Hyatt Regency on Nov. 29-30. Our theme, Environmental Leadership—Past, Present and Future, will build on the cabinet's ongoing efforts to encourage and recognize the voluntary efforts being conducted throughout the Commonwealth to improve our environment. We are developing a substantive agenda to provide the tools, knowledge and testimonies that will inspire and enable Kentucky's corporate and private citizens to set environmental goals that continue Kentucky on a path of environmental excellence. The agenda, registration forms and hotel information are on our Web site at [www.eppc.ky.gov/events/govconference/](http://www.eppc.ky.gov/events/govconference/). We hope you set aside these dates and plan on attending.



## Demystifying All Appropriate Inquires



Julie Kilgore explains some of the differences in the old standard and the new AAI rule, which became effective on Nov. 1, 2006.

The National Brownfield Association held the final installment of its All Appropriate Inquiries (AAI) Short Course in Frankfort on Oct. 27. All Appropriate Inquiries is the process of evaluating a property's environmental conditions and assessing the potential liability for any contamination. The training, attended by consultants, state Superfund employees and other interested parties, gave an overview of the rule, how it differs from current practices and the legal implications of the rule in regards to liability defense. Parties wishing to seek bona fide prospective purchaser status or protections as an innocent landowner must complete All Appropriate Inquires when purchasing a property that has potential environmental issues. All Appropriate Inquiries is also required when seeking to remediate brownfields through the state and federal brownfield programs.

Julie Kilgore, a consultant with Wasatch Environmental in Salt Lake City, Utah, co-instructed the course with John Watson, a counsel with Baker and McKenzie LLP, in Chicago, Ill. The new AAI rule went into effect on Nov. 1, 2006. Any property purchased after this date will be required to have an AAI assessment.

The new AAI rule requires a series of activities to be conducted under the supervision of an environmental professional. It includes interviews with past owners or occupants, historical reviews, review of state or federal records, visual inspections of the property, searches for environmental cleanup liens, assessment of specialized knowledge or experience of the prospective landowner, an assessment of the market value of the property both with and without contamination, and commonly known or reasonably ascertainable information.

While the final AAI rule is not significantly different from the ASTM E1527-00 standard that was previously being used, there are some divergences. Some of the environmental due diligence activities are enhanced. For instance, the breadth and scope of interviews required has been increased. The new rule requires a more extensive explanation of significant data gaps and uncertainties. The AAI rule also spells out who is an environmental professional and sets educational, training and experience requirements for those conducting assessments. These requirements are meant to ensure the person conducting the AAI has the skills necessary to develop opinions and conclusions regarding the property. For more information regarding All Appropriate Inquires visit the U.S. EPA Web site at <http://www.epa.gov/brownfields/regneg.htm>. ☺

### Targeted Brownfield Assessments

The Kentucky Brownfield Program can provide Targeted Brownfield Assessments (TBAs) to local governments and nonprofits free of charge. The TBA includes an "All Appropriate Inquires" (phase I environmental assessment), a full phase II environmental assessment, cleanup options and an estimate of costs based on future use and development plans. Assessments are performed on a first-come, first-served basis. TBA application forms and instructional documents can be found in the forms library of the brownfield program Web site at [www.dca.ky.gov/brownfields](http://www.dca.ky.gov/brownfields). Contact the Kentucky Brownfield Program for more information.

**1-800-926-8111**

### Grant Writing Party

**Nov. 20, 2006**

**10 a.m.**

**14 Reilly Rd., Bldg. 6**

**Frankfort, Ky.**

Well, it's as close to a party as you'll get when it comes to grant writing. Come to our grant review event with copies of your brownfield grant application and receive critiques from brownfield staff as well as from peers that are also going through the same application process. Contact Amanda LeFevre for more information (800) 926-8111.

